

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING
CASE NO. 23-CV-55-ABJ

BLENDI CUMANI, M.D., and)
ROLAND SHEHU,)
)
Plaintiffs,)
)
v.)
)
CHRIS QUEEN,)
)
Defendant.)

GOOGLE MEET DEPOSITION OF BRETT RICHMOND

INITIATED FROM THE WYOMING ATTORNEY GENERAL'S
OFFICE, 109 State Capitol, Cheyenne, Wyoming, on
Wednesday, December 19, 2023, commencing at 8:58 a.m.
MST, before Rebecca S. Doby, Registered Professional
Reporter and Notary Public.

* * *

Rebecca S. Doby
Registered Professional Reporter
2334 Main Street
Torrington, WY 82240
307-532-4817

1 Q. Okay. And they own land, then?

2 A. I assume.

3 Q. Okay. Did you have a good relationship with
4 Brian Peters?

5 A. I don't know that anybody really would. I mean,
6 I never had dealings with him. I talked to him a couple
7 times on the phone, but that's it.

8 Q. Okay. Who is Heath Worstell?

9 A. Don't know.

10 Q. Okay.

11 (Whereupon, there was a brief pause in the
12 proceedings.)

13 BY MR. OLIVE:

14 Q. On October 27, 2019 did you receive a call from
15 Tyler Viles about anything?

16 A. Yeah. He let me know that George Schnell shot a
17 bull.

18 Q. Okay. And at that point what did you do?

19 A. Called Chris Queen.

20 Q. Okay. And was there anything specific that you
21 remember that Tyler Viles told you?

22 A. Yeah. He told me that George Schnell killed a
23 bull.

24 Q. Okay.

25 A. And we had to get ahold of the Game Warden.

1 So I said, I'll call him real quick.

2 Q. And why was it important that George Schnell
3 killed a bull?

4 A. Because it's illegal.

5 Q. Okay.

6 A. And unethical.

7 Q. And why was that illegal?

8 A. Because it's the wrong sex.

9 Q. Okay. And so did George Schnell have a cow tag,
10 then?

11 A. George had a cow tag, yes.

12 Q. Okay.

13 MR. OLIVE: Becky, did we send you an
14 exhibit?

15 THE REPORTER: Yes, sir. A three-page
16 exhibit, yes.

17 MR. OLIVE: Can I have that marked for the
18 record?

19 THE REPORTER: You bet. I'll mark it as
20 Exhibit 1, if that's good for you?

21 MR. OLIVE: That's fine.

22 (Whereupon, Exhibit 1 was marked for
23 identification.)

24 THE REPORTER: Done.

25 BY MR. OLIVE:

1 Q. I'm going to show you what has been marked as
2 Exhibit 1.

3 A. Okay.

4 Q. Are you able to see that?

5 A. Yes.

6 Q. Okay. Are you able to see the numbers and the
7 words?

8 MR. BOOKE: Can you increase the size of the
9 document, so that it's --

10 MR. OLIVE: I can do that a little bit.

11 (Whereupon, there was a brief pause in the
12 proceedings.)

13 BY MR. OLIVE:

14 Q. Are you still able to see that well?

15 A. Yeah.

16 Q. Okay.

17 MR. BOOKE: Would you please identify it for
18 the record, what the document is?

19 MR. OLIVE: For the record, this is the
20 Extraction Report from Chris Queen's phone. I believe
21 it's Bates marked Defendant's 29, 30, and 31.

22 BY MR. OLIVE:

23 Q. Do you recognize that first phone number under
24 call 1?

25 A. Yeah. That's my phone number.

1 Q. Okay. So this is indicating that you called
2 Chris around 8:03 a.m.

3 Do you remember what that call might have been
4 about?

5 A. Yes. To let him know George Schnell killed a
6 bull.

7 Q. Okay. So then No. 3 shows a text message,
8 incoming, from you to Chris.

9 Do you know what that might have been?

10 A. To let him know George Schnell killed a bull.

11 Q. Did you ever send Chris Ty Viles' contact info?

12 A. He has all my guides' contact info.

13 Q. Okay. So No. 23 there's an incoming call from
14 you.

15 A. (Deponent nodded.)

16 Q. I believe that would be 1:05 p.m.

17 Do you remember what that would have been?

18 A. Yeah. How long he was gonna illegally detain my
19 clients.

20 Q. Okay. And did you talk to him at that point?

21 A. I don't think I talked to him at that point. I
22 finally had to text him. Because where he was at when
23 he was up there shooting those other elk he didn't have
24 great service.

25 Q. Okay. And did you ever leave him a voicemail?

1 A. Yes.

2 Q. Okay.

3 A. I believe so.

4 Q. Okay. And do you remember what time you left him
5 that voicemail?

6 A. I do not. I can't recall.

7 Q. Okay. And do you remember what you said in that
8 voicemail?

9 A. Well, the first thing was that they wanted to
10 know how long they were gonna be illegally detained.
11 Because he detained 'em for no reason.

12 Q. And who told you that they were detained?

13 A. Chris Queen.

14 Q. When did he tell you that?

15 A. He told me that they were gonna be detained.
16 They could either sit out there at the corrals or they
17 could come back to my house and stay there until he was
18 done with his investigation.

19 Q. And who told you that?

20 A. Chris Queen.

21 Q. So he told you what you just said about the
22 corrals or your house.

23 A. Yes.

24 Q. And when did he say that to you?

25 A. That morning.

1 Q. Okay. And --

2 A. Then he went and shot those elk. And then Ty and
3 I watched him shoot those two bulls, him and Brian
4 Peters. And they brought 'em to my house and tried to
5 pin 'em on 'em. But they didn't have any bullet holes
6 in 'em, other than where he shot 'em. And he only let
7 me look at one of 'em. And then he drove off.

8 And then the next day he was on the ranch,
9 planting 'em out there, driving around in the Game &
10 Fish truck with 'em.

11 Q. Let's go back a second.

12 A. (Deponent nodded.)

13 Q. So when did Queen make this alleged statement to
14 you?

15 A. That afternoon. Well, which statement? That
16 they were detained?

17 Q. Yes.

18 A. That morning.

19 Q. Okay. And at what time?

20 A. That I can't remember. Probably around nine
21 o'clock, I'm guessing.

22 Q. Okay.

23 A. 9:00 or 9:30. Somewhere in there. But I can't
24 remember exactly.

25 Q. Okay. And did you call Queen after eight

1 o'clock?

2 A. Yes.

3 Q. Okay. So, I'm showing you the Call Log right
4 now.

5 A. (Deponent nodded.)

6 Q. Do you see any call from you after 8:00 and
7 before noon?

8 A. Well, you only have until noon, is all I can see
9 on this deal.

10 Q. Okay.

11 A. I see 11:57, Brian Peters, call 18. That's the
12 last one I can see.

13 Q. Okay. And do you see a call to Queen around nine
14 o'clock?

15 A. No.

16 Q. Okay.

17 A. Now I see one at 1:05, 12:23, 12:25.

18 Q. But you're saying that Queen made this statement
19 about detaining your clients around nine o'clock.

20 A. Yeah. He had me on Ty Viles' phone.

21 Q. Okay. So he was talking to you on Ty's phone.

22 A. Yes.

23 Q. Okay. And do you know where he was at that time?

24 A. At the corrals.

25 Q. Okay. And do you remember what the exact

1 statement was that he made to you?

2 A. That they could either stay at the corrals or
3 they could come to the house.

4 Q. Okay. So No. 25, at -- I think it would be 1:59.
5 There's a text message to you. And it says it's from Ty
6 Viles. And the text message says: There is a cow and
7 another small bull here in this draw.

8 Do you know what that was referring to?

9 A. That was when he was up there poaching those
10 other two elk.

11 Q. Had he referred to those other two elk in the
12 earlier conversation at nine o'clock?

13 A. What's that?

14 Q. Had he referred to any other elk in that
15 conversation at nine o'clock?

16 A. Was I referred to any other elk?

17 Q. No. Did he make reference to any other elk in
18 the conversation at nine o'clock?

19 A. I don't understand the question.

20 Q. Did he say anything about two elk being wounded,
21 when he talked to you at nine o'clock?

22 A. No. When I talked to him the first time he
23 claimed that Brian Peters -- so he called -- when I got
24 ahold of him -- I mean, it was all a setup deal.

25 So here's the thing. Because I know how Chris

1 operates. So when I finally got ahold of him he was
2 screaming and hollering.

3 And in that -- what they call the gauntlet where
4 that happened, where George shot the bull -- you'd have
5 to be in there to see it. And Brian claimed we wounded
6 these other elk.

7 And so Chris is just going nuts on me on the
8 phone.

9 And finally, when he settles down, I said, okay,
10 what do you want to do about this bull elk?

11 And he said, what bull elk?

12 So right then I knew it was a setup.

13 Q. Okay. So let's go back, then. I want to go back
14 to the eight o'clock conversation.

15 A. Okay.

16 Q. So you called him and you told him about the bull
17 elk.

18 Is that correct?

19 A. Yes.

20 Q. Okay. Did he say anything else?

21 A. Oh, yeah. He was going nuts on the phone.

22 Q. Okay. What did he say?

23 A. He said that we're gonna have to pay for all
24 these wounded elk and we can't be doing this kind of
25 thing and this and that.

1 He was screaming.

2 So I just sat there and listened until he calmed
3 down, so I could tell him about the bull elk that George
4 Schnell shot.

5 Q. Okay. And what did you say?

6 A. What did I say?

7 Q. Yes.

8 A. I said, so what do you want to do with this bull
9 elk?

10 And he said, what bull elk?

11 So I said, the one that George Schnell shot.
12 That's why I'm calling.

13 And he said, oh, I didn't realize that. Well,
14 I'll be out there shortly.

15 I said, do you want us to cut the bull up and
16 bring it down to the corrals? Or do you want to come up
17 here and see it?

18 And he said, cut the bull up and bring it down to
19 the corrals.

20 So we did that.

21 Then when he got there Ty took him up there to
22 show him where it all happened. And then they left.

23 And he said, well, I gotta go over there and
24 finish off these wounded elk.

25 Supposedly.

1 Q. Okay. I want to take you back a second.

2 A. Okay.

3 Q. So when you called him what was the first thing
4 you said?

5 A. What was the first thing he said?

6 Q. What was the first thing anybody said?

7 A. Well, he started screaming.

8 Q. Okay. Okay.

9 A. So I just let him go off until he settled down.

10 And then I said, so what do you want me to do
11 with this bull elk that George killed?

12 Q. Okay. And then how did he respond to that
13 specific statement?

14 A. How did he respond?

15 Q. Yes. What did he say?

16 A. He was like, well, what bull elk?

17 I said, the one George Schnell killed.

18 Q. Okay. And then what did he say at that point?

19 A. I asked him if he wanted me to leave it right
20 where it was or if he wanted me to cut it up -- have Ty
21 cut it up and meet him at the corrals.

22 Q. Okay. And how did he respond to that statement?

23 A. Cut it up and I'll meet you at the corrals.

24 Q. Okay. And did you make any statement after that?

25 A. No.

1 Q. Okay. Did he say anything after that?

2 A. Not that I can recall.

3 Q. Okay. Is there any other part of the
4 conversation that you recall?

5 A. On that phone call, no.

6 Q. Okay. And then when was the next time that you
7 talked to him?

8 A. When he was at the corrals and had Ty's phone.

9 Q. Okay.

10 A. And then I didn't -- they detained 'em and the
11 guys were here. Because Blendi Cumani had surgery the
12 next morning and he was looking -- trying to find a
13 plane and this and that, to make surgeries. And he
14 wanted to know how long he was gonna be illegally
15 detained.

16 Q. Okay. So the next time you talked to him was at
17 nine o'clock on Ty Viles' phone.

18 Is that correct?

19 A. Somewhere around there.

20 Q. Okay.

21 A. I mean, it was early or mid-morning.

22 Q. Okay.

23 A. Let's put it that way.

24 Q. And who spoke first in that conversation?

25 A. I can't remember, because it was just -- I

1 couldn't believe all the things that were going on.

2 Q. Okay. Do you remember what the first thing was
3 that was said?

4 A. No.

5 Q. Okay. What did Chris say?

6 A. That he was gonna detain those guys.

7 Q. Okay. What do you recall his exact words being?

8 A. Something to the effect that they could either
9 stay at the corral or that they had to come to my
10 house --

11 Q. Okay.

12 A. -- and stay until he was done investigating.

13 Q. Did you respond to that at all?

14 A. No.

15 Q. Okay. Did you say anything to him during that
16 conversation?

17 A. No. I mean, what was there to say?

18 Q. So you said nothing to him during that
19 conversation.

20 A. Well -- I mean, I might have said okay or
21 something. But -- I mean, it's not like we were really
22 chatting it up at that point. He was pretty wound up.

23 Q. And did he make any other statement?

24 (Whereupon, there was a brief pause in the
25 proceedings.)

1 THE DEPONENT: Not to me.

2 BY MR. OLIVE:

3 Q. Okay.

4 A. Just that they were gonna be detained and they
5 could either stay there or at my house, if that was
6 okay.

7 Q. Did he use the word "detained"?

8 A. Yes.

9 Q. What was the next communication that you had with
10 Chris?

11 A. When I asked him how long he was gonna illegally
12 detain these guys.

13 Q. Okay. And when was that?

14 A. Sometime probably early afternoon.

15 Q. Okay. And would that be about the time of the
16 1:05 call?

17 A. That I can't remember.

18 Q. Okay. Did you actually talk to him at that time?

19 A. I -- you know, he was in and out of service. I
20 mean, so we were -- communication was really tough. He
21 was up on the side of Heart Mountain.

22 Q. Okay.

23 A. But I believe I have it saved on a text message,
24 too.

25 Q. Okay.

1 (Whereupon, there was a brief pause in the
2 proceedings.)

3 BY MR. OLIVE:

4 Q. Can we take a quick break, like just a couple
5 minutes, maybe like five minutes?

6 A. Yeah.

7 Q. Okay.

8 MR. OLIVE: Can we go off the record?

9 THE REPORTER: Sure.

10 (Whereupon, a recess was taken.)

11 BY MR. OLIVE:

12 Q. So, Mr. Richmond, you received a call from --
13 well, I guess first, you mentioned a text message just
14 right before the break.

15 Do you recall that?

16 A. Yeah.

17 Q. Okay. And do you remember what that text message
18 said?

19 A. How much longer are you gonna illegally detain
20 these guys?

21 Q. Okay. And did you send that from your phone?

22 A. What's that?

23 Q. Did you send that from your phone?

24 A. Yeah. I have pictures of it somewhere.

25 I see it's been scrubbed off there, it looks

1 like.

2 Q. Do you still have the phone that you were using
3 that day?

4 A. I have it saved in the safe, yes.

5 Q. Okay. And just quickly for the record can I get
6 your -- a good address to contact you at?

7 A. My current address?

8 Q. Yes.

9 A. 44 Sunset Rim.

10 Q. Okay.

11 A. Cody, Wyoming 82414.

12 Q. Okay.

13 MR. OLIVE: For the record, I'm going to
14 show what has been marked as Exhibit 1 again.

15 BY MR. OLIVE:

16 Q. Mr. Richmond, do you see No. 27?

17 A. Yes.

18 Q. Okay. Looks like it's -- and is that your cell
19 phone number there, highlighted?

20 A. Yes.

21 Q. Okay. And that says it's a message from you,
22 saying, how much longer are you going to be?

23 Do you recall sending that at all?

24 A. Yes.

25 Q. Okay. And do you remember why you sent that

1 message?

2 A. Yeah. Because Blendi was trying to figure out
3 how long he had to stay. Because he had surgery the
4 next morning.

5 Q. Okay. And had you talked to Queen on the phone
6 after nine o'clock?

7 A. Yeah. Yeah, he called me when he was headed off
8 the mountain. I tried calling him sporadically while he
9 was on the mountain.

10 Q. Okay. Do you remember when you contacted --
11 about what time you contacted him when he was coming off
12 the mountain?

13 A. I can't remember what time he came off the
14 mountain. He called me --

15 Q. Okay.

16 A. -- to let me know he was coming to the house.

17 Q. Okay. No. 29 here is a text message to you from
18 Ty Viles. It says: Have two elk to get out.

19 A. Yes.

20 Q. Do you know what that's referring to?

21 A. Yeah. Those are the two he went up and poached,
22 him and Brian.

23 Q. Okay.

24 A. I've seen Chris shoot elk for no reason. That's
25 not the first time.

1 (Whereupon, there was a brief pause in the
2 proceedings.)

3 BY MR. OLIVE:

4 Q. When have you seen that?

5 A. Fred Crane and I watched him -- we tried to help.
6 We were gonna get a calf out of the fence that wasn't
7 even hurt.

8 And Chris just shot him. Said, no, I'm just
9 gonna shoot him.

10 Q. And how do you know it was for no reason?

11 A. Because we could have just got the calf out of
12 the fence. We were going to. Fred and I were going to.

13 And Chris decided he was just gonna shoot it.

14 Q. Okay. Did he tell you why he wanted to shoot it?

15 A. Because he was bloodthirsty. He didn't tell me
16 why, but that's why.

17 Q. Okay. So he didn't actually tell you why he was
18 going to do that.

19 A. No. I said, Chris, we can just get it out of the
20 fence.

21 He said, nope. Nope. I'm gonna shoot it.

22 And he shot it.

23 Q. But you don't actually know what he was thinking.

24 Right?

25 A. He just wanted to shoot something.

1 Q. But you can't read his thoughts.

2 Right?

3 A. What's that?

4 Q. You cannot read his thoughts.

5 Correct?

6 A. No.

7 Q. Okay. Any other occasions that you recall?

8 A. No. I really recall that one. And I had a
9 witness there. So that's the big key there.

10 Q. And who was that witness?

11 A. Fred Crane.

12 Q. Okay. And then that No. 30, from him to you and
13 Ty Viles.

14 A. Yes.

15 Q. Both are shot in front legs.

16 Do you know what that's referring to?

17 A. That's where he was claiming the elk were shot.

18 Q. Okay.

19 A. But when he brought 'em to the house and tried to
20 pin 'em on these guys he let me look at the first one.
21 And it had a wire cut on its back that was healing up
22 and scabbing over.

23 And the other one he wouldn't even let me look
24 at, after he realized that he really screwed up.

25 Q. And so the -- what sex was that elk that you're

1 describing?

2 A. I can't remember. One was a young bull and the
3 other was a cow.

4 Q. Okay. And which one are you saying had the wire
5 cut?

6 A. I can't remember if it was the young bull or the
7 cow.

8 Q. Okay.

9 A. He had 'em stacked in there and ...

10 Q. Did you look at the front leg of that animal,
11 also?

12 A. Yeah. I looked at the whole thing. And I was
13 like, Chris -- nowhere.

14 And so then he got mad and he wouldn't let me
15 look at the other one.

16 Q. Okay.

17 A. Let me put it this way: He was so mad on the
18 phone all day that day I called the head Game Warden,
19 the Sheriff, and the Board of Outfitters.

20 Q. Okay.

21 A. I mean I called the head Game Warden that day.
22 The other two I called on Monday. But I called the head
23 Game Warden.

24 And he told me -- he said, I'm gonna drink whisky
25 and watch football. You can yell at him all you want.

1 Q. And who did you call?

2 A. I can't remember which lawyer it was. I got a
3 bunch of good friends that are lawyers.

4 Q. You have no idea who it was?

5 A. I -- I got a pile of 'em. So I just called one,
6 and I don't remember which one specifically I called.

7 Q. Okay.

8 A. I said, can he technically detain this guy?
9 And he said, no.

10 Q. And was that lawyer representing your clients,
11 Blendi and --

12 A. No, they weren't representing them. I just
13 called a lawyer to see if they could be illegally
14 detained like that.

15 Q. Okay. And did you ever tell Queen that you had a
16 lawyer?

17 A. No. He told me, when he got to my house, that I
18 better get a lawyer and make sure it's a damn good one
19 because I'm gonna need it.

20 And I told him -- I said, Chris, I've been at the
21 house all day. I don't know what I need a lawyer for.

22 Q. Okay. When did you first tell Queen about a
23 lawyer?

24 A. Well, I asked him, how much longer are you gonna
25 illegally detain 'em?

1 And that text message is gone. He scrubbed it.
2 I sent him a text: These guys wanna know from the
3 lawyer how long you're gonna illegally detain 'em.

4 That's why he put -- but he screwed up and left
5 that one in there.

6 Q. So you referred to the attorney as their lawyer.
7 Is that correct?

8 A. I just said a lawyer.

9 Q. Okay. So you keep using this word "illegal
10 detention".

11 A. Yeah.

12 Q. What makes you think that the detention was
13 illegal?

14 A. You can't just detain somebody for no reason.

15 Q. Okay. What makes you think there wasn't a
16 reason?

17 A. I think that there wasn't one.

18 Q. Okay.

19 A. Chris has always hated these two Albanians. He's
20 hated 'em with a passion. And he knew they were in town
21 and he was gonna set 'em up. And he did.

22 Q. What makes you think that he hated them?

23 A. He told me he did.

24 Q. When did --

25 A. That's no secret.

1 Q. When did he say that?

2 A. Oh, a couple years before that.

3 Q. Okay. And what was the context of that
4 conversation?

5 A. He just didn't like 'em.

6 Q. Okay.

7 A. Chris is funny that way. There's a lot of people
8 he didn't like.

9 I had a hunter one time that -- a young gal that
10 shot a bull -- wrong sex -- and I called that in. And
11 he was on top of the mountain and told me to take it to
12 my house.

13 So on the way there he called me to ask what kind
14 of person this was.

15 And I said, well, they're a big Christian family
16 -- you know, church-going people.

17 He said, oh great, Christians. They're the
18 biggest liars in the world.

19 Q. Do you know who Chris talked to, before talking
20 to you at nine o'clock?

21 A. Do I know who he talked to before?

22 Q. Yes.

23 A. I haven't a clue. I was at the house.

24 Q. Okay. Do you know what anybody said to him
25 during that time?

1 A. What who said?

2 Q. Any person he talked to.

3 MR. BOOKE: Form and foundation.

4 THE DEPONENT: I guess I don't understand
5 your question.

6 BY MR. OLIVE:

7 Q. Do you know if Chris Queen had talked to anybody
8 between eight o'clock and when you allege he said your
9 clients were detained?

10 A. Do I know if he talked to anybody?

11 Q. Yes. Do you know if he talked to anybody?

12 A. I don't know if he talked to anybody. I don't
13 know. I wasn't there.

14 Q. So you have no idea what conversations he may or
15 may not have had during that time.

16 A. With who?

17 Q. And with who.

18 A. No. I'm at the house. I don't know who called
19 him, I don't know who he ran into on the road. I don't
20 know any of that.

21 Q. Okay. So you have no idea what basis he may have
22 had for his statements?

23 A. What, now?

24 Q. You have no idea what basis he may have had for
25 any of his statements?

1 A. I guess I don't understand the question.

2 Q. Okay. I'll move on.

3 (Whereupon, there was a brief pause in the
4 proceedings.)

5 BY MR. OLIVE:

6 Q. No. 46 is a text message, incoming, from you to
7 Queen, that says: He said thanks.

8 What were you referring to?

9 A. Don't have a clue.

10 Q. No. 47 is a call from Queen to you, 4 minutes and
11 14 seconds.

12 Do you remember what that call might have been
13 about?

14 A. No.

15 Q. Okay.

16 A. No.

17 Q. Let's go back. When was the first time that you
18 talked to your clients about this event?

19 A. That I talked to them about it?

20 Q. When -- okay. Did you talk to Cumani and Shehu
21 about this event?

22 A. When they got to the house I did.

23 Q. Okay. Did you have any phone call or
24 conversation with them before that?

25 A. No. Not that I recall.

1 Q. And --

2 A. Just with Ty. And no phone call with George
3 Schnell, either.

4 Q. Okay. And what did Ty say to you? Or when did
5 you talk to Ty?

6 A. Well, the first time he called me to let me know
7 that George Schnell shot that bull.

8 Q. Okay. Did you talk to him any time after that?

9 A. Yeah. Yeah. I talked to him -- um, so when
10 Chris said he was gonna go over there and shoot those
11 elk -- um, I told Ty to stay there and set up a spotting
12 scope and I'll be there, I'll come up there.

13 So I went out there and watched him and Brian
14 Peters go shoot those elk.

15 Q. Okay. And about what time did you talk to Ty
16 about that?

17 A. I -- I can't remember the exact time.

18 Q. Okay. And do you remember what he told you, like
19 if he said anything to you?

20 A. Yeah. He said that -- well, so it came up that
21 he was gonna detain those guys and they could stay at
22 the corrals or come home.

23 So then when that -- when Chris got done with
24 that, Ty asked me -- he said, want do you want me to do?

25 And I said, just hang tight for a minute. I'll

1 call you when those guys head out.

2 And so then I said, set up a spotting scope so we
3 can watch Queen go do this. Set up a spotting scope and
4 we'll go watch him shoot these elk.

5 Q. So your conversation with Ty was after your
6 conversation with Queen at about nine o'clock?

7 A. It was mid-morning. I think it was later than
8 nine o'clock.

9 Q. Okay.

10 A. Because I'm just -- it was sometime in
11 mid-morning.

12 Q. Okay. And so you discussed with Ty about going
13 and setting up spotting scopes.

14 A. Yes.

15 Q. Okay.

16 A. He -- he called me back when -- when the dust
17 settled.

18 And I said, okay, this is a setup deal. I said,
19 set up a -- we can watch the whole mountain. Set up a
20 spotting scope and I'll be out there.

21 So Chris had actually shot the one before I got
22 there. And then when I got there we watched him go over
23 and start chasing around some more elk and shoot one of
24 them.

25 Q. So you use this word "setup".

1 A. (Deponent nodded.)

2 Q. Why do you believe it was a setup?

3 A. Plain as day. It was a setup between him and
4 Brian Peters. I knew that because of the way Chris
5 handled the phone call in the beginning.

6 Q. What do you mean by that?

7 A. Because Chris has a big beef and he's trying to
8 get with the ranch owner, trying to get that open to the
9 public. And he's taking a lot of heat for his
10 mismanagement skills, along with the rest of the Game &
11 Fish. So it's been on ongoing battle.

12 Q. Do you know if Brian Peters and Chris talked to
13 each other?

14 A. What's that?

15 Q. Do you know if Brian Peters and Chris Queen
16 talked to each other?

17 A. Yeah.

18 Q. Okay.

19 A. Chris told me that when I first -- the first time
20 I got him on the phone to let him know about the bull.
21 He told me -- that's why -- it shocked him. This is why
22 I knew it was a setup. Because Brian would have had to
23 have been right there to know that if we did wound
24 anything or anything he'd have to have been there and
25 he'd have known that we shot the bull. Because then

1 he'd have been sitting right on top of us.

2 So I said, what do you want to do about this
3 bull?

4 Because I assumed he knew about it if Brian saw
5 it. Well, Brian never saw any of it. So right then I
6 knew it was a setup.

7 Q. So your belief that it's a setup is based on your
8 opinion that Brian would have seen the bull get shot?

9 A. If we had wounded elk he would have known that
10 the bull got shot.

11 Q. Okay. So your belief is based on your opinion
12 that if -- if Brian --

13 A. There's no other way. He would have had to have
14 been right there --

15 Q. Okay.

16 A. -- the way the country lays.

17 Q. So your opinion is based on that if Queen knew
18 there were wounded elk he would have known that the bull
19 got shot.

20 A. Yes.

21 Q. Okay. Were you --

22 A. That's why -- I mean, he was really shocked when
23 I said, so what do you want to do?

24 Otherwise I would have said, hey, we shot a bull.
25 But I didn't.

1 I said, so what do you want to do about this bull
2 that George shot?

3 And he said, what bull?

4 And right then I knew that Brian was lying.

5 Q. Okay. Were you party to any conversations
6 between Brian and Chris?

7 A. No.

8 Q. So you don't know what Brian said to Chris.

9 Is that correct?

10 A. Well, Chris told me that Brian said we wounded a
11 whole bunch of elk. And Chris told me that somebody was
12 gonna have to pay for it, and it's gonna be those
13 Albanians.

14 Q. And when did he say that?

15 A. When did he say that?

16 Q. Yes.

17 A. The first time I got him on the phone, when I was
18 calling to let him know about George shooting the bull.

19 Q. Okay. Let me go back to the first conversation.
20 Tell me everything Chris said in that conversation, to
21 you.

22 A. Well, I can't do it verbatim.

23 So, I called him. He picked up the phone and
24 started screaming at me: I just got off the phone with
25 Brian Peters and these guys got wounded elk everywhere

1 and those Albanians are gonna have to pay for this.

2 And I said, okay, then what do you want me to do
3 about this bull elk that George killed?

4 And he said, what bull elk?

5 I said, Brian didn't tell you about that?

6 No.

7 I said, well, George Schnell got a bull. Do you
8 want us to quarter it up and bring it to the corral? Or
9 do you want us to leave it up here in the field and you
10 can come look at it?

11 And he wanted us to quarter it up and bring it to
12 the corral. And he said he'll meet those guys there.

13 Q. Is that all you remember from that conversation?

14 A. That was pretty much -- I mean, he was heated and
15 screaming the whole time.

16 Q. Pretty much --

17 A. And he was more worried about going and setting
18 these guys up.

19 Q. Okay. Pretty much. Is there anything else you
20 remember?

21 A. That was pretty much that whole phone call.

22 Q. Is there anything else you remember other than
23 what you just said, yes or no?

24 MR. BOOKE: It's been asked and answered,
25 Counsel.

1 MR. OLIVE: He has not answered my question.

2 MR. BOOKE: Asked and answered.

3 BY MR. OLIVE:

4 Q. Pretty much. Is that everything that you recall
5 from that conversation, yes or no?

6 MR. BOOKE: My objection is noted for the
7 record. It's asked and answered.

8 THE DEPONENT: I can't answer that because I
9 -- I can't remember it verbatim.

10 BY MR. OLIVE:

11 Q. Okay.

12 A. If I could remember it verbatim I would give you
13 a yes or a no.

14 Q. Okay.

15 (Whereupon, there was a brief pause in the
16 proceedings.)

17 BY MR. OLIVE:

18 Q. So going back to where we were before, you were
19 not party to any conversation between Chris and Brian
20 Peters.

21 Correct?

22 A. Chris and who?

23 Q. Brian Peters.

24 A. No. The only thing that I heard is what I just
25 told you, that Brian told him on the phone we wounded a

1 bunch of elk. I hadn't talked to Brian in probably over
2 a year before that.

3 Q. Okay. So you don't know exactly what Chris and
4 Brian said in that conversation.

5 MR. BOOKE: Asked and answered, Counsel.

6 THE DEPONENT: Chris Queen told me that
7 Brian said that we had a whole bunch of wounded elk
8 running around.

9 BY MR. OLIVE:

10 Q. Okay.

11 A. That's why I phrased the deal: So what do you
12 want me to do with this bull --

13 Q. Okay.

14 A. -- instead of, by the way, we killed a bull.

15 Because if that was the truth, Brian would have
16 seen the bull go down.

17 (Whereupon, there was a brief pause in the
18 proceedings.)

19 BY MR. OLIVE:

20 Q. So you went up with Viles to go watch Queen.

21 Is that correct?

22 A. Yes.

23 Q. Okay. And what did you see?

24 A. Watched Chris shoot an elk.

25 Q. Okay.

1 A. That was clearly not wounded. I could tell by
2 the way it was moving before he shot it that it wasn't
3 wounded.

4 Q. What did you see?

5 A. Huh?

6 Q. What did you see Chris do?

7 A. Saw him shoot an elk.

8 Q. Okay.

9 A. I didn't get there for the first one.

10 Q. Okay.

11 A. Ty saw him shoot both.

12 Q. So, you mentioned talking to Ty about watching
13 Chris through a spotting scope.

14 What other conversation did you have with Ty?

15 A. That was pretty much it. He called me and told
16 me that he got one. And I said, I'll be right there.

17 Q. Did --

18 A. I was already headed that way anyway. So then we
19 sat there and waited and watched him shoot another one.

20 Q. Did you talk with Ty at all while you were
21 watching?

22 A. Yeah.

23 Q. And do you remember anything about that
24 conversation?

25 A. Oh, yeah.